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A SHORT CONSIDERATION OF THE LAW OF NEGLIGENCE. By ALFRED SINGTON, Barrister-at-Law, of the Inner Temple and of the Northern Circuit. Pp. xxxvii + 422. London: William Clowes & Sons, Limited, 1903.

This is not, by any means, a complete work on negligence, nor, indeed, is it intended to be. As announced by the author in his "Introductory Chapter," the purpose is rather to present a compendious treatise of the subject, adhering strictly to the subject proper, without diverging into the numerous and illusive by-paths offered at every turn.

"There is no such thing as negligence in the abstract," says the author, quoting Lord Justice Bowen, for negligence is simply the absence of the care which the law requires to be used in reference to the particular circumstances of the case. A complete work on negligence, therefore, there never was, nor ever will be, so long as life is filled with such complex and changing influences. To consider the law with accuracy, therefore, it is necessary to apply it to given facts, and then the inquiry will be, what duty does the law demand of a man placed in that situation?

It is sufficiently obvious that no scheme of treatment can cover and provide for all the possible complications arising from as many combinations of facts as there are cases reported. Even when a fairly typical state of facts occurs, it is distracting to attempt to reconcile the numerous cases apparently applicable, and the many more which shade more or less perceptibly into them. Disclaiming such a task, as gigantic as it is futile, the author confines himself to about six hundred of the principal cases on the subject (with an exception, here and there, all are English), selecting those which lay down the guiding principles which have been relied upon by the courts in determining a great quantity of cases presenting different, yet similar, facts. This is, perhaps, all it is practicable for any lawyer to be familiar with, and while it will be found essential, in a given case, to search much more deeply into the subject, and to pursue the subtler shades of distinctions drawn by the courts, yet there is always the danger, in descending into detail, of overlooking the controlling principles around which other considerations should centre.

The author has in no case broken loose from the reported cases and indulged in a prolonged dissertation of theories which the subject invites, but, on the contrary, has kept very closely (and evidently more briefly than the subject and his inclination prompted) to the discussion of the leading authorities. The cases are not merely stated, but are compared and collected in groups closely connected with each other, so that the whole

forms a close, consecutive exposition of the law in a very perspicuous manner. Many of the disputed points have been illumined by an assembly of authorities and a comment more cautious than the matter warrants. The so-called doctrine of "Identification" is thus discussed, as are also the "Degrees of Negligence," with conclusions so clearly presented as to seem inevitable.

The work admirably represents what it was apparently intended that it should—a consideration of the Law of Negligence, and not an exhaustive collection of authorities on the subject. The benefit of such a treatment cannot be doubted. If there is any subject more necessarily dependent on the particular facts of each case, it would be equally conducive to clearness and certainty to have it displayed in as excellent a mode as is exemplified by this work of Mr. Sington. A work such as this induces thought, by which alone one can discover the reason of the law, and, as we are told by Lord Coke, "The Law is unknown to him that knoweth not the Reason thereof, and the known Certaintie of the Law is the Safetie of all."

E. S. R.

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ABBOTT'S TRIAL-BRIEF ON THE PLEADINGS. By AUSTIN ABBOTT. Volume I, Demurrer. Volume II, Issues of Fact. Second Edition. Pp. xxxiii+xiii+2120. Rochester: The Lawyers' Co-operative Publishing Company. 1904.

This work of Mr. Abbott's first appeared in one volume thirteen years ago, and has received considerable commendation ever since. The purpose in mind was to aid court and counsel in "getting readily at . . . contests on the merits of the cause;" to offer some work which would help "to reduce the number of mistrials below," an aid which would at once "diminish the discouraging and deterrent effect which such experiences have upon clients, and diminish the number of appeals to crowd the calendars of the courts of last resort."

The new edition appears in two volumes, each larger than the original volume. The revision consists chiefly in bringing the subject down to date in the light of the great number of recent decisions. Some few topics have been developed more fully, both by means of more extended examination of old authorities and also careful work on new. There are many new additions, especially a full and helpful chapter on "Amendments of Pleadings," and each chapter has been extended by several sections, covering points in many cases not mentioned in the first edition.

No book exists which has treated so exhaustively the details